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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

ANA PORTILLO,

Defendant and Appellant.

B298250

Los Angeles County  
Super. Ct. No. BA454148

APPEAL from a judgment of the Superior Court of Los Angeles County, Norman J. Shapiro, Judge. Affirmed.

Roberta Simon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

## INTRODUCTION AND PROCEDURAL BACKGROUND

The Los Angeles County District Attorney filed an information charging defendant and appellant Ana Portillo with willful, deliberate, and premeditated attempted murder. (Pen. Code, §§ 664, 187.)<sup>1</sup> The information alleged Portillo personally and intentionally discharged a firearm (§ 12022.53, subd. (c)), and in so doing, caused great bodily injury (§ 12022.53, subd. (d)). The information also alleged Portillo committed the offense for the benefit of, at the direction of, and in association with a criminal street gang. (§ 186.22, subd. (b)(1)(C).)

The trial court granted the prosecution's motion to amend the information by removing the allegation that the attempted murder was willful, deliberate, and premeditated. Portillo pled no contest to attempted second degree murder. She admitted she personally and intentionally discharged a firearm within the meaning of section 12022.53, subdivision (c). The trial court dismissed the remaining allegations. The court sentenced her to an upper term of nine years, plus 20 years for the firearm enhancement, for a total of 29 years in state prison.

Portillo filed a timely notice of appeal, and we appointed counsel to represent her. On February 25, 2020, appellate counsel filed a brief raising no issues and asking us to review the record independently. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).) Portillo did not respond to our letter advising her of her right to file supplemental briefing.

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<sup>1</sup> All undesignated statutory references are to the Penal Code.

Following review of the record pursuant to *People v. Wende*, we affirm.

### **FACTUAL BACKGROUND<sup>2</sup>**

On May 16, 2016, Brandon Velasquez was working on a car at the corner of 5th Street and State Street. Manuel Villareal drove down State Street in a minivan and stopped next to Velasquez. Portillo exited Villareal's car, approached Velasquez, and asked what gang he belonged to. Velasquez denied being in a gang. Portillo produced a nine-millimeter handgun and fired numerous rounds at Velasquez, shooting him several times.

### **DISCUSSION**

We have examined the entire record, and are satisfied no arguable issues exist in the appeal before us. (*Smith v. Robbins* (2000) 528 U.S. 259, 278-279 [120 S.Ct. 746]; *Wende, supra*, 25 Cal.3d at p. 443.)

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2      The following facts are taken from the probation report.

## **DISPOSITION**

The judgment is affirmed.

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CURREY, J.

We concur:

MANELLA, P.J.

WILLHITE, J.